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*Law Offices*  
**Rossi & Associates**  
Patents, Trademarks, Copyrights & Related Matters

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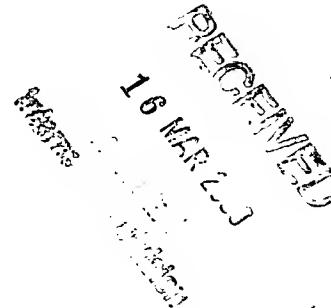
**URGENT**  
**FACSIMILE COVER SHEET**

TO: Ms. Shelby Vigil

FROM: Marc A. Rossi

SUBJECT: 09/091,805

THIS TRANSMISSION INCLUDES A TOTAL OF 11 PAGES INCLUDING THIS COVER SHEET. PLEASE CONTACT ROSSI & ASSOCIATES AT 703-904-4332 IF YOU HAVE ANY DIFFICULTY RECEIVING THIS TRANSMISSION. THIS TRANSMISSION INCLUDES CONFIDENTIAL INFORMATION INTENDED SOLELY FOR ABOVE-IDENTIFIED RECIPIENT. IN THE EVENT THAT THIS FACSIMILE IS RECEIVED BY A PARTY OTHER THAN THE INTENDED RECIPIENT, IT IS REQUESTED THAT THE RECEIVING PARTY IMMEDIATELY CONTACT ROSSI & ASSOCIATES AT THE NUMBER LISTED ABOVE.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Toshiyuki NAKATA et al.

International Appln. No.: PCT/JP97/03833

Serial No.: 09/091,805

Group Art Unit:

Filed: June 23, 1998

Examiner

For: CHOKE COIL

**RESPONSE TO NOTICE OF ABANDONMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants received a Notification of Abandonment dated December 22, 1999 indicating that applicants had failed to properly respond to the Missing Requirements issued on November 5, 1998. The Notification of Abandonment refers to an attached Notification of a Defective Response, however, no Notification of a Defective Response was provided with the Notification of Abandonment.

Applicants did properly respond to the Missing Requirements issued on November 5, 1998, by filing a signed declaration and a check in the amount of the required fees. In support of applicants' position, enclosed herewith is:

- 1). a copy of applicants Response to Missing Parts comprising two pages of a cover transmittal letter; one page of a copy of the Notification of Missing Requirements; and two pages of the executed declaration;
- 2.) a copy of applicants stamped receipt postcard indicating applicants response with declaration and check were received by the Patent Office on December 10, 1998;

3.) a copy of applicants attorney's check register indicating check 2993 in the amount of \$1148.00 was drafted on December 7, 1998 for MATS:006 (the present application) as payment of the required fee;

4.) a copy of applicants attorney's check statement indicating check 2993 was cashed on December 16, 1998; and

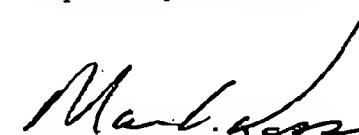
5.) a copy of applicants attorney's docket book evidencing filing.

In view of the above, it is respectfully submitted that the issuance of a Notice of Abandonment for the above-referenced application is in error and should be withdrawn.

Although it is believed that no fees should be required because the error appears to be on the part of the Patent Office, the Commissioner is hereby authorized to charge Deposit Account 18-2056 any fees required to enter this paper and maintain the pendency of this application.

Any questions regarding this paper should be addressed to the undersigned attorney of record at 703-904-4332.

Respectfully submitted,

  
\_\_\_\_\_  
Marc A. Rossi  
Registration No. 31,923

Attorney Docket: MATS:006

ROSSI & ASSOCIATES  
P.O. Box 826  
Ashburn, VA 20146-0826  
703-904-4332

(1)

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

BOX: MISSING PART

Toshiyuki NAKATA et al.

Serial No.: 09/091,805

Group Art Unit:

Filed: June 23, 1998

Examiner:

For: CHOKE COIL

**Certificate of Mailing**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

Date: 12-7-98By: Marc Rossi  
Marc A. Rossi**RESPONSE TO MISSING PARTS**

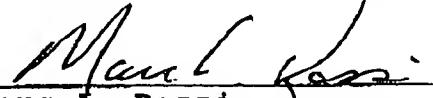
Assistant Commissioner for  
Patents, Washington, D.C. 20231

Sir:

In response to the Notice of Missing Requirements having a mailing date of November 5, 1998, applicants enclose herewith a copy of the signed Declaration. Attached is a check in the amount of \$ 1148.00 covering the required \$ 930.00 filing fee, the \$ 130.00 fee for late filing of the declaration and \$88.00 for four additional claims. The Commissioner, however, is authorized to charge deposit account 18-2056 (or credit any overpayment

thereto) for any deficiency in fees required to maintain the pendency of this application.

Respectfully submitted,

  
\_\_\_\_\_  
Marc A. Rossi  
Registration No. 31,923

12-7-98  
Date

Attorney Docket: MATS:006

ROSSI & ASSOCIATES  
P.O. Box 826  
Ashburn, VA 20146-0826  
703-904-4332

09/09/98



Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO	NAKATA	FIRST NAMED APPLICANT	ATTY. DOCKET NO
09/091,805		T	MAT81006
		INTERNATIONAL APPLICATION NO	
		PCT/JP97/03833	
		IA FILING DATE	PRIORITY DATE
		10/23/97	10/24/96
		DATE MAILED: 11/05/98	
5611			

MARC A. ROSSI  
ROSSI & ASSOCIATES  
P.O. BOX 826  
ASHBURN VA 20146-0826

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

a Designated Office (37 CFR 1.494).  
 an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:  
 non-English language.  
 English.

Translation of the international application into English.

Oath or Declaration of Inventor(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed \_\_\_\_\_.

Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report  and copies of the references cited therein.

Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$\_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  31 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.3)

*A copy of this notice MUST be returned with this response.*

Enclosed:  PCT/DO/EO/917       Notice of Defective Translation      Shelby Vigil  
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

PCT International Division  
Telephone: (703) 305-3653

S.Vigil  
305-3653

ent By: ROSSI;

7037298957;

Mar-15-98 3:10PM;

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(D)  
FIRST VIRGINIA BANK  
C/G NORTHERN OPERATIONS CENTER, INC.  
PO BOX 88  
FALLS CHURCH, VA 22040-0088

STATEMENT CLOSING DATE  
S1 3 12-31-98  
ACCOUNT NUMBER

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ROSSI & ASSOCIATES

PAGE 1

ACCOUNT TYPE	PREVIOUS BALANCE	ADDITIONS TO ACCOUNT	SUBTRACTIONS FROM ACCOUNT	NEW BALANCE
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CHECKING

....CHECKING ACCOUNT

DATE.....AMOUNT.....DESCRIPTION OF ACTIVITY.....

CHECKS / DEBITS

12-16 1,148.00- CHECK 2993 RF 02950359

IF UNAVAIL, SEE REVERSE FOR ADDITIONAL INFORMATION  
8083468

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